

**IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF OKLAHOMA**

|                                       |   |                              |
|---------------------------------------|---|------------------------------|
| CRYSTAL HENLEY, Individually and as   | ) |                              |
| attorney-in-fact for CHRISTINA        | ) |                              |
| HENLEY,                               | ) |                              |
|                                       | ) |                              |
| Plaintiffs,                           | ) |                              |
|                                       | ) | Case No. CIV-21-118-HE       |
| v.                                    | ) |                              |
|                                       | ) | Removed from Oklahoma County |
| WALGREEN CO. a foreign for profit     | ) | Case No. CJ-2021-301         |
| business corporation d/b/a            | ) |                              |
| WALGREENS STORE #03645,               | ) |                              |
| WALGREENS PHARMACY, INC., and         | ) |                              |
| JOHN DOE(S) 1-3, individual(s) and/or | ) |                              |
| companies,                            | ) |                              |
|                                       | ) |                              |
| Defendants.                           | ) |                              |

**NOTICE OF REMOVAL**

COME NOW Defendants, Walgreen Co., Walgreens Store #03645, and Walgreens Pharmacy, Inc. (hereinafter, “Walgreens” and/or “Defendants”), by and through their counsel of record, HOLDEN LITIGATION, and hereby removes this action from the District Court of Oklahoma County, State of Oklahoma, where the case number is CJ-2021-301. Removal is permitted for the following reasons.

1. This action was originally filed on January 22, 2021 by Crystal Henley, individually and as attorney-in-fact for Christina Henley, for damages allegedly incurred in the delivery of prescription medication on January 26, 2019. Exhibit 1, Petition; Exhibit 2, State Court Docket Sheet.

2. Plaintiffs are residents of the state of Oklahoma. *Id.* at p. 1.

3. Defendant Walgreen Co. is a for-profit business entity lawfully incorporated in the state of Delaware, with a principal place of business located in Deerfield, Illinois, doing business in the state of Oklahoma as Walgreens Pharmacy, Inc. and as Walgreens Store #03645.

4. Defendants John Doe(s) 1-3 are fictitious names which must be disregarded for purposes of determining diversity of citizenship under 28 U.S.C. § 1441(b)(1).

5. Plaintiffs' Petition seeks damages in excess of \$75,000.00. Exhibit 1, Petition at p. 8.

6. This Court has jurisdiction in this matter on the basis of diversity of citizenship under 28 U.S.C. § 1332.

7. Defendants were served with the Petition and Summons in this action on January 27, 2021. Exhibit 3, Issued Summons and Service of Process. This Notice of Removal has been timely filed within thirty (30) days of initial receipt of the Plaintiffs' Petition by Defendant and is therefore timely pursuant to 28 U.S.C. § 1446(b).

8. Venue properly rests in the United States District Court for the Western District of Oklahoma, as this case is being removed from the District Court of Oklahoma County, State of Oklahoma.

JURY TRIAL DEMANDED.

Respectfully submitted,

**HOLDEN LITIGATION, *Holden P.C.***



---

Steven E. Holden, OBA #4289  
Orion A. Strand, OBA #33279  
15 East 5<sup>th</sup> Street, Suite 3900  
Tulsa, OK 74103  
(918) 295-8888; (918) 295-8889 fax  
[SteveHolden@HoldenLitigation.com](mailto:SteveHolden@HoldenLitigation.com)  
[OrionStrand@HoldenLitigation.com](mailto:OrionStrand@HoldenLitigation.com)  
***Attorneys for Defendants***

**CERTIFICATE OF MAILING**

I certify that on the 18<sup>th</sup> day of February, 2021, a true and correct copy of the above and foregoing instrument was mailed, with proper postage fully prepaid thereon, to:

Rachel Bussett, OBA #19769  
Kindra Dotson, OBA #22547  
Felina N. Rivera, OBA #31696  
BUSSETT LEGAL GROUP, PLLC  
2201 N. Classen Blvd.  
Oklahoma City, OK 73106  
***Attorneys for Plaintiff***



---

Orion A. Strand

213.038